

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff(s),

v.

LASR CLINIC OF SUMMERLIN, LLC, et
al.,

Defendant(s).

Case No.: 2:19-cv-00467-GMN-NJK

ORDER

[Docket Nos. 75, 77]

Pending before the Court are Defendants' motions for more definite statement. Docket Nos. 75, 77.¹ The Government filed a response in opposition. Docket No. 82. Defendants filed a reply. Docket No. 83. The motions are properly resolved without a hearing. *See* Local Rule 78-1. For the reasons discussed below, the motions for more definite statement are **DENIED**.

A motion for more definite statement is made pursuant to Federal Rule of Civil Procedure 12(e), which requires the filing of an amended pleading where the initial pleading is "so vague or ambiguous that the party cannot reasonably prepare a response. The motion must be made before filing a responsive pleading and must point out the defects complained of and the details desired." Fed. R. Civ. P. 12(e). "Rule 12(e) is designed to strike at unintelligibility, rather than want of detail." *Woods v. Reno Commodities, Inc.*, 600 F. Supp. 574, 580 (D. Nev. 1984). "Parties are expected to use discovery, not the pleadings, to learn the specifics of the claims being asserted."

¹ As they are proceeding *pro se*, the Court construes Defendants' filings liberally. *See Erickson v. Pardus*, 551 U.S. 89, 94 (2007).

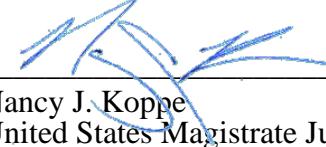
1 *OneBeacon Ins. Co. v. Probuilders Specialty Ins. Co.*, 2009 WL 2407705, *4 (D. Nev. Aug. 3,
2 2009) (quoting *Sagan v. Apple Computer, Inc.*, 874 F. Supp. 1072, 1077 (C.D.Cal.1994)). Motions
3 for a more definite statement are disfavored and rarely granted. *E.g., Russell Road Food & Bev.,*
4 *LLC v. Galam*, 2013 WL 6684631, at *2 (D. Nev. Dec. 17, 2013).

5 The Court has reviewed the complaint and agrees with the Government that it is not vague
6 or ambiguous such that a response cannot be formed.

7 Accordingly, the motions for more definite statement are **DENIED**.

8 IT IS SO ORDERED.

9 Dated: February 9, 2021

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11 Nancy J. Koppe
United States Magistrate Judge

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